

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Andrew PERKINS *et al.*) Confirmation No.: 4526
Serial No. 10/087,897) Examiner: Huynh, Louis K.
Filed: March 1, 2002) Group Art Unit: 3721
For: Machine And Method For Inflating) Atty Dkt No.: 006759.00016
And Sealing Air-Filled Packing)
Cushions)

**REQUEST FOR RECONSIDERATION OF APPLICATION FOR
PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Decision Regarding Patent Term Adjustment mailed March 31, 2006 (“Decision”). Applicants previously paid the fee for the Application for Patent Term Adjustment on February 6, 2006 and it is believed that no additional fee is due. However, the Director is authorized to debit our Deposit Account 19-0733 for any fee required.

The Decision indicated that Applicants' request for reinstating 301 days of Patent Term Adjustment due to the filing of an Information Disclosure Statement ("IDS") on July 19, 2005 could not be granted because the IDS was not accompanied by a statement that the information was "first" cited in a communication from a foreign patent office in a counterpart application and that the communication was not received by an individual in 1.56(c) more than 30 days prior to the filing of the IDS.

The undersigned hereby certifies under 37 C.F.R. § 1.704(d) that each item of information contained in the July 19, 2005 IDS was first cited in a communication from a foreign patent office in a counterpart application and that the communication was not received by an individual in 1.56(c) more than 30 days prior to the filing of the July 19, 2005 IDS.

In light of Applicants' statement above in compliance with 37 C.F.R. § 1.704(d), it is believed that no reduction in patent term adjustment should be made for filing of the July 19, 2005 IDS.

Applicants believe that the subject application is entitled to 530 days of patent term adjustment, which is calculated as follows.

The number of days from the filing of the Notice of Appeal until the mail date of the Board decision reversing the Examiner, which totals 533 days;

less the number of days from the date which is three months from the mail date of the June 23, 2003 Office Action until the date of receipt of Applicants' response to the Office Action, which totals 3 days.

In view of the foregoing, Applicants respectfully submit the application is entitled to 530 days of patent term adjustment, and respectfully request a notice to this effect and correction of the patent term.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Date: April 13, 2006

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